



12-08-04

JW RCE
2134

PTO/SB/30 (09-04)

Request
for
Continued Examination (RCE)
Transmittal

Address to:
MAIL STOP: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/493,984
Filing Date	January 28, 2000
First Named Inventor	Eisenbart, Robert S.
Art Unit	2134
Examiner Name	Michael J. Simitoski
Attorney Docket Number	018926-003220US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ **Enclosed**
- i. ☒ **Amendment (Preliminary)**
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.
- i. ☒ **RCE fee required under 37 CFR 1.17(e)**
- ii. ☒ **Extension of time fee (37 CFR 1.136 and 1.17)**
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	December 6, 2004
Name (Print /Type)	Thomas D. Franklin	Registration No.	43,616

CERTIFICATE OF MAILING OR TRANSMISSION

Express Mail Label: EV 291388340 US

I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date December 6, 2004 and is addressed to: **MAIL STOP: RCE**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature		Date	December 6, 2004
Name (Print /Type)	Cindy Bennett		

60371026 v1

12/09/2004 HAL111 00000043 201430 09493984

790.00 DA 01 FC-1801